
HOUSE BILL No. 1824

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-44-3-3.

Synopsis: Resisting law enforcement. Provides that a person who resists, obstructs, or interferes with: (1) a law enforcement officer engaged in official duties; or (2) the authorized service of process or execution of a court order; commits the offense of resisting law enforcement regardless of whether the person uses force.

Effective: July 1, 2005.

Austin

January 25, 2005, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1824

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-44-3-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) A person who
3 knowingly or intentionally:

4 (1) ~~forcibly~~ resists, obstructs, or interferes with a law enforcement
5 officer or a person assisting the officer while the officer is
6 lawfully engaged in the execution of ~~his~~ **the officer's official**
7 duties; ~~as an officer~~;

8 (2) ~~forcibly~~ resists, obstructs, or interferes with the authorized
9 service or execution of a civil or criminal process or order of a
10 court; or

11 (3) flees from a law enforcement officer after the officer has, by
12 visible or audible means, identified himself **or herself** and
13 ordered the person to stop;
14 commits resisting law enforcement, a Class A misdemeanor, except as
15 provided in subsection (b).

16 (b) The offense under subsection (a) is a:

17 (1) Class D felony if:



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1 (A) the offense is described in subsection (a)(3) and the person
 2 uses a vehicle to commit the offense; or
 3 (B) while committing any offense described in subsection (a),
 4 the person draws or uses a deadly weapon, inflicts bodily
 5 injury on another person, or operates a vehicle in a manner
 6 that creates a substantial risk of bodily injury to another
 7 person;
 8 (2) Class C felony if, while committing any offense described in
 9 subsection (a), the person operates a vehicle in a manner that
 10 causes serious bodily injury to another person; and
 11 (3) Class B felony if, while committing any offense described in
 12 subsection (a), the person operates a vehicle in a manner that
 13 causes the death of another person.
 14 (c) For purposes of this section, a law enforcement officer includes
 15 an alcoholic beverage enforcement officer and a conservation officer
 16 of the department of natural resources.
 17 **SECTION 2. [EFFECTIVE JULY 1, 2005] IC 35-44-3-3, as**
 18 **amended by this act, applies only to offenses committed after June**
 19 **30, 2005.**

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